

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

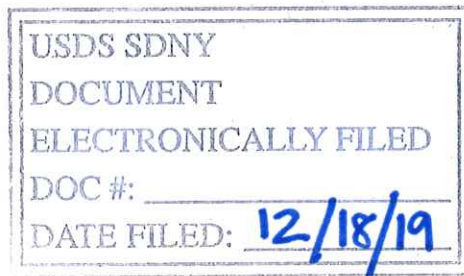
LENROY McLEAN,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.



No. 12-cv-1954 (RJS)

No. 08-cr-789 (RJS)

ORDER

RICHARD J. SULLIVAN, Circuit Judge:

On November 5, 2019, the Court issued an order denying Petitioner Lenroy McLean's *pro se* letter motion requesting that the Court vacate its May 8, 2019 order and reopen Petitioner's Federal Rule of Civil Procedure 60 proceedings. (Doc. No. 47.)¹ In that order, the Court also determined pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore that Petitioner could not proceed *in forma pauperis* for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 445 (1962). Because the Court further concludes that Petitioner has not "made a substantial showing of the denial of a constitutional right," the Court will not issue a certificate or appealability. *See* 28 U.S.C. § 2253(c)(2); *see also Love v. McCray*, 413 F.3d 192, 195 (2d Cir. 2005). The Clerk of the Court is respectfully directed to mail a copy of this order to Petitioner.

SO ORDERED.

Dated: December 18, 2019
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

¹ All citations to the docket refer to the docket in the civil case, No. 12-cv-1954.